

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RALPH “TREY” JOHNSON, ET AL.,	:	CIVIL ACTION
individually and on behalf of all persons	:	
similarly situated	:	
	:	
v.	:	
	:	
NATONAL COLLEGIATE ATHLETIC	:	
ASSOCIATION, ET AL.	:	NO. 19-5230

**ORDER**

**AND NOW**, this 22nd day of September, 2021, upon consideration of the “Motion of the NCAA and Non-Attended School Defendants to Dismiss First Amended Complaint” (Docket No. 26), all documents filed in connection therewith, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART AND DENIED IN PART** as follows.

1. The Motion is **GRANTED** as to the Non Attended School Defendants as follows:

a. The Motion is **GRANTED** as to Count I of the First Amended Complaint and that Count is **DISMISSED WITH PREJUDICE** as against the following Defendants: Bucknell University, Duquesne University, Fairleigh Dickinson University, La Salle University, Lehigh University, Monmouth University, Princeton University, Rider University, Robert Morris University, Seton Hall University, Saint Francis University, Saint Joseph’s University, Saint Peter’s University, the University of Delaware, Pennsylvania State University, the University of Pittsburgh, Rutgers State University of New Jersey, and Temple University;

b. Count I of the First Amended Complaint is **DISMISSED WITHOUT PREJUDICE** as against the following Defendants: Drexel University and the University of Pennsylvania;

c. The Motion is **GRANTED** as to Count II of the First Amended Complaint and that Count is **DISMISSED WITH PREJUDICE** as against Bucknell University, Drexel University, Duquesne University, La Salle University, Lehigh University, Robert Morris University, Saint Francis University, Saint Joseph's University, the University of Pennsylvania, Pennsylvania State University, the University of Pittsburgh, and Temple University;

c. Count II of the First Amended Complaint is **DISMISSED WITHOUT PREJUDICE** as against Drexel University and the University of Pennsylvania;

d. The Motion is **GRANTED** as to Counts IV and V of the First Amended Complaint and those Counts are **DISMISSED WITH PREJUDICE** as against Colgate University, Canisius College, Columbia University, Manhattan College, Iona College, Marist College, Hofstra University, Long Island University, Brooklyn College, Niagara University, St. John's University, Siena College, St. Bonaventure University, St. Francis College Brooklyn, Syracuse University, and Wagner College;

e. The Motion is **GRANTED** as to Count VII of the First Amended Complaint and that Count is **DISMISSED WITH PREJUDICE** as against Fairfield University, the University of Hartford, Quinnipiac University, and Yale University.

2. The Motion is **DENIED** in all respects as against the National Collegiate Athletic Association.

BY THE COURT:

/s/ John R. Padova

---

John R. Padova, J.